

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES DISTRICT COURT
DIST. OF MASS

FILED TO OPEN COURT

DATE

3/3/05

mc
Deputy-Clerk

SAINT-GOBAIN ABRASIVES, INC.,
Plaintiff

V.

KOHLER CO.,
Defendant.

KOHLER CO.,
Counterclaim Plaintiff,

V.

SAINT-GOBAIN ABRASIVES, INC.,
Counterclaim Defendant.

CIVIL ACTION NO. 04-40199-FDS

**CERTIFICATION BY PLAINTIFF AND COUNTERCLAIM DEFENDANT
SAINT-GOBAIN ABRASIVES, INC., PURSUANT TO L.R. 16.1(D)(3)**

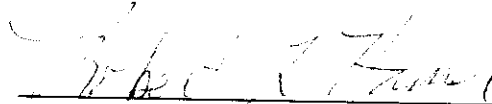
Plaintiff and Counterclaim Defendant Saint-Gobain Abrasives, Inc. ("Saint-Gobain"),
and its counsel, hereby certify to this Court that Saint-Gobain and its counsel have conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course,
and various alternative courses, of the litigation; and
- (b) to consider the resolution of litigation through the use of alternative dispute
resolution programs such as those outlined in L.R. 16.4.

Respectfully submitted,

SAINT-GOBAIN ABRASIVES, INC.

By its attorneys,



Robert L. Hamer, Esq.

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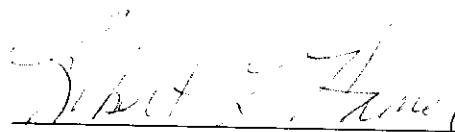
Phone: (508) 791-8500

Fax: (508) 791-8502

Dated: March 3, 2005

CERTIFICATE OF SERVICE

I, Robert L. Hamer, hereby certify that I have this day electronically filed the foregoing Local Rule 16.1(D)(3) Certification on behalf of Plaintiff and Counterclaim Defendant Saint-Gobain Abrasives, Inc., and I have served a courtesy copy of the same on March 3, 2005, by hand delivery, to Joseph M. Alden, Esq., Wilson, Elser, ME&D, LLP, 155 Federal Street, Boston, MA 02110.



Robert L. Hamer, Esq.

Dated: March 3, 2005